

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

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**In Re:**

**Imerys Talc America, Inc.**

**APRIL DEJESUS and EDWIN DEJESUS,**

Plaintiffs,

v.

**BRENNTAG NORTH AMERICA, INC.** (sued individually and as successor-in-interest to MINERAL PIGMENT SOLUTIONS, INC. and as successor-in-interest to WHITTAKER CLARK & DANIELS, INC.);

**BRENNTAG SPECIALTIES, INC.** f/k/a MINERAL PIGMENT SOLUTIONS, INC. (sued individually and as successor-in-interest to WHITTAKER CLARK & DANIELS, INC.);

**COTY, INC.** and its subsidiary NOXELL CORPORATION, for its CoverGirl brand of products;

**CYPRUS AMAX MINERALS COMPANY** (sued individually, doing business as, and as successor to AMERICAN TALC COMPANY, METROPOLITAN

**Case No. 19-01403-KCF**

**Lead Case No: 19-10289-LSS**

**Chapter 11**

**Hearing Date: June 18, 2019**

**Judge: Hon. Kathryn C. Ferguson,  
Chief Judge**

**MOTION TO REMAND**

**Oral Argument Requested**

TALC CO. INC. and CHARLES MATHIEU INC. and  
SIERRA TALC COMPANY and UNITED TALC  
COMPANY);

**IMERYS TALC AMERICA, INC.** (sued  
individually and as successor-in-interest to LUZENAC  
AMERICA, INC. successor-in-interest to CYPRUS  
INDUSTRIAL MINERALS COMPANY and  
WINDSOR MINERALS, INC. and  
METROPOLITAN TALC CO. INC.);

**JOHNSON & JOHNSON;**

**JOHNSON & JOHNSON CONSUMER INC.,** a  
subsidiary of JOHNSON & JOHNSON;

**NEW RUE21 LLC;**

**NOXELL CORPORATION** f/k/a NOXZEMA  
CHEMICAL COMPANY, for its CoverGirl brand of  
products, a subsidiary of COTY INC.;

**THE PROCTER & GAMBLE COMPANY** (sued  
individually and as successor-in-interest to  
NOXZEMA CHEMICAL COMPANY and its  
CoverGirl brand of products);

**RUE21, INC.;**

**WHITTAKER CLARK & DANIELS, INC.;**

**JOHN DOE CORPORATIONS 1-50** (fictitious);

**ENCHANTE ACCESSORIES INC.,**  
Defendants.

**TO:** All Counsel via Electronic Filing, Federal Express and Email:

**PLEASE TAKE NOTICE** that, on June 18, 2019 or as soon thereafter as counsel may  
be heard, the undersigned attorneys for Plaintiffs shall move pursuant to D.N.J. LBR 9013-2  
before The Honorable Kathryn C. Ferguson, United States Bankruptcy Court for the District of

New Jersey, for an Order remanding the case back to the Superior Court of New Jersey,  
Middlesex County.

**PLEASE TAKE FURTHER NOTICE** that the undersigned will rely upon the  
accompanying Certification of Leah Kagan, Esq. and Brief in support of this motion.

A proposed form of Order of Remand are enclosed.

SZAFERMAN, LAKIND,  
BLUMSTEIN & BLADER, P.C.

Attorneys for Plaintiffs

By: s/ Arnold C. Lakind  
Arnold C. Lakind, Esq.

Dated: 5/18/19